

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

FRANCISCO MARTINEZ,

Plaintiff,

v.

JANE DOE #1, MELISSA BARKER,
JOHN DOE #1, JOHN DOE #2
and JANE DOE #2,

Defendants.

ORDER

Case No. 21-cv-13-wmc

Pro se plaintiff Francisco Martinez filed this lawsuit under 42 U.S.C. § 1983, claiming that while he was being held at the Brown County Jail in 2020, he suffered a broken hand that went untreated for almost a year. The court granted Martinez leave to proceed against John Doe #1, John doe #2, Jane Doe #1 and Jane Doe #3, as well as a nurse named Melissa Barker. After service of the complaint and summons on Barker, it became clear that Barker had not been employed by the jail, as plaintiff had alleged, and during the preliminary pretrial conference, it became clear that Barker's counsel may not have access to the identities of the Doe defendants. Therefore, the court will now add Brown County Jail Sheriff Todd Delain as a nominal defendant to accomplish service and to conduct discovery regarding the identity of the Doe defendants. Once Sheriff Delain appears, this matter will again be set for a preliminary pretrial conference, during which Magistrate Judge Stephen Crocker will explain plaintiff's obligation to serve the Brown County Sheriff with a discovery request to identify the Doe defendants, and to amend his complaint accordingly.

ORDER

IT IS ORDERED that Brown County Jail Sheriff Todd Delain is added as a nominal defendant for purposes of accomplishing service and conducting discovery regarding the identities of the Doe defendants.

Entered this 19th day of July, 2022.

BY THE COURT:

/s/

WILLIAM M. CONLEY
District Judge